

McDONALD • CARANO • WILSON LLP
 2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102
 PHONE (702) 873-4100 • FAX (702) 873-9966

PAT LUNDVALL (NSBN 3761)
 KRISTEN T. GALLAGHER (NSBN 9561)
 McDONALD CARANO WILSON LLP
 2300 W. Sahara Avenue, Suite 1200
 Las Vegas, NV 89102
 Telephone: 702.873.4100
 Facsimile: 702.873.9966
 lundvall@mcdonaldcarano.com
 kgallagher@mcdonaldcarano.com

SANDRA C. McCALLION (admitted *pro hac vice*)
 S.C. SOHN (admitted *pro hac vice*)
 THOMAS E. BEZANSON (admitted *pro hac vice*)
 CHRISTOPHER M.P. JACKSON (admitted *pro hac vice*)
 MATTHEW V. POVOLNY (admitted *pro hac vice*)
 COHEN & GRESSER LLP
 800 Third Avenue, 21st Floor
 New York, NY 10022
 Phone: (212) 957-7600
 Fax: (212) 957-4514
 smccallion@cohengresser.com
 scsohn@cohengresser.com
 tbezanson@cohengresser.com
 cjackson@cohengresser.com
 mpovolny@cohengresser.com

Attorneys for Defendant LG ELECTRONICS USA, INC.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KEVIN DROVER, individually and on behalf
 of all others similarly situated,

 Plaintiffs,

 vs.

 LG ELECTRONICS USA, INC.,

 Defendant.

Case No.: 2:12-cv-00510-JCM-VCF

**DEFENDANT LG ELECTRONICS USA,
 INC.'S NOTICE OF CONDITIONAL
 NON-OPPOSITION TO PLAINTIFF'S
 MOTION FOR LEAVE TO FILE A
 FIRST AMENDED COMPLAINT**

Defendant LG Electronics USA, Inc. ("LGUSA") hereby files its Notice of Conditional Non-Opposition to Plaintiff Kevin Drover's Motion for Leave to file a First Amended Complaint (Dkt. # 65). LGUSA does not oppose Plaintiff's Motion and consents to the filing of the First Amended Complaint, provided however that LGUSA does not thereby concede that the First Amended Complaint states a claim for relief and further provided that LGUSA reserves its right to move to dismiss the First Amended Complaint under Rules 8, 9(b) and 12(b)(6) of the Federal

Rules of Civil Procedure. LGUSA further provides notice that it will move to dismiss the First Amended Complaint by the later of (1) two business days following the filing of the First Amended Complaint or (2) August 22, 2013.

DATED this 16th day of August, 2013.

McDONALD CARANO WILSON LLP

By: /s/ Kristen T. Gallagher
Pat Lundvall (NSBN 3761)
Kristen T. Gallagher (NSBN 9561)
2300 W. Sahara Avenue, Suite 1200
Las Vegas, NV 89102
Telephone: 702.873.4100
Facsimile: 702.873.9966
lundvall@mcdonaldcarano.com
kgallagher@mcdonaldcarano.com

Sandra C. McCallion (admitted *pro hac vice*)
S.C. Sohn (admitted *pro hac vice*)
Thomas E. Bezanson (admitted *pro hac vice*)
Christopher M.P. Jackson (admitted *pro hac vice*)
Matthew V. Povolny (admitted *pro hac vice*)
COHEN & GRESSER LLP
800 Third Avenue, 21st Floor
New York, NY 10022
Phone: (212) 957-7600
Fax: (212) 957-4514
smccallion@cohengresser.com
scsohn@cohengresser.com
tbezanson@cohengresser.com
cjackson@cohengresser.com
mpovolny@cohengresser.com

Attorneys for Defendant LG ELECTRONICS USA, INC.

McDONALD • CARANO • WILSON LLP
2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-9966

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I am an employee of McDonald Carano Wilson LLP, and that on this 16th day of August, 2013, I caused a true and correct copy of the foregoing **DEFENDANT LG ELECTRONICS USA, INC.'S NOTICE OF CONDITIONAL NON-OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO FILE A FIRST AMENDED COMPLAINT** to be served via the U.S. District Court's Notice of Electronic Filing ("NEF") in the above-captioned case, upon the following:

Dennis L. Kennedy, Esq. (NSBN 1462)
Joseph A. Liebman, Esq. (NSBN 10125)
BAILEY KENNEDY
8984 Spanish Ridge Avenue
Las Vegas, Nevada 89148-1302
Telephone: (702) 562-8820
Facsimile: (701) 562-9921
dkennedy@baileykennedy.com
jliebman@baileykennedy.com

WILLIAM B. FEDERMAN
FEDERMAN & SHERWOOD
10205 N. Pennsylvania Avenue
Oklahoma City, Oklahoma 73120
Telephone: (405)235-1560
Facsimile: (405) 239-2112
wbf@federmanlaw.com
(admitted *pro hac vice*)

Attorneys for Plaintiff Kevin Drover

/s/ Marianne Carter
An employee of McDonald Carano Wilson LLP